

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN**

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EDGEWOOD HIGH SCHOOL  
OF THE SACRED HEART, INC.,  
Plaintiff,

v.

CITY OF MADISON, WISCONSIN;  
CITY OF MADISON ZONING BOARD  
OF APPEALS; CITY OF MADISON  
PLAN COMMISSION; and CITY OF  
MADISON COMMON COUNCIL;  
Defendants.

Case No. 3:21-CV-118

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**SECOND DECLARATION OF SARAH A. ZYLSTRA**

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I, Sarah A. Zylstra, under penalty of perjury, declare as follows:

1. I am an attorney representing the Defendants in the above-reference matter. I offer this supplemental declaration in support of Defendants' motion for summary judgment.

2. I previously filed a declaration in support of Defendants' motion for summary judgment, which contained Exhibit A through Exhibit QQ.

3. The collection of articles and website captures attached to the Declaration of Jonathan R. Ingrisano as Exhibits 3-6, and Exhibit 8 (Dkt. ##54-3, 54-4, 54-5, 54-6, 54-8), have not been produced to Defendants in discovery and have not been marked at any deposition or addressed with any deposition witness.

4. Attached to this Declaration as Exhibit RR is a true and correct copy of Deposition Exhibit 73, marked at the deposition of Michael Elliot taken on May 10, 2022.

5. Attached to this Declaration as Exhibit SS is a true and correct copy of Deposition Exhibit 49, marked at the deposition of Michael Elliot on May 10, 2022.

6. Attached to this Declaration as Exhibit TT is a true and correct copy of Deposition Exhibit 68, marked at the deposition of Michael Elliot on May 10, 2022.

7. Attached to this declaration as Exhibit UU are a true and correct copies of Plaintiff Edgewood High School's Rule 26(a)(1)(A) Initial Disclosures, and Plaintiff Edgewood High School of the Sacred Heart, Inc.'s Supplemental Rule 26(a) Disclosures. In this litigation, Plaintiff never named Edgewood High School president, Michael Elliott, as an expert.

8. Attached to this declaration as Exhibit VV is a true and correct copy of Plaintiff Edgewood High School of the Sacred Heart, Inc.'s Response to Defendants' First Set of Requests for Production of Documents.

9. In its response to summary judgment, plaintiff has submitted the Zwettler declaration, which provides that since 2008, EHS has paid a total of \$300,000 to the field owners in order to secure priority usage. To the best of my knowledge, no such records reflecting these payments have been produced in discovery and such was not disclosed in the Rule 26 disclosures.

10. Attached to this declaration as Exhibit WW is a true and correct copy of Deposition Exhibit 106, marked at the deposition of Christopher Zwettler on May 26, 2022.

I declare under penalty of perjury, under the laws of the United States of America, that the foregoing is true and correct.

Executed this 20th day of June, 2022.

/s/ Sarah A. Zylstra

Sarah A. Zylstra, State Bar No. 1033159